

EDMUND G. BROWN JR., Attorney General
of the State of California
THOMAS S. LAZAR
Supervising Deputy Attorney General
DOUGLAS LEE, State Bar No. 222806
Deputy Attorney General
California Department of Justice
110 West "A" Street, Suite 1100
San Diego, CA 92101

P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 645-2580
Facsimile: (619) 645-2061

Attorneys for Complainant

**BEFORE THE
RESPIRATORY CARE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation and Petition to
Revoke Probation Against:

CHELSEA M. PONDERS
3141 Lamar Springs Court
Spring Valley, CA 91977

Respiratory Care Practitioner
License No. 26048

Respondent.

Case No. R-2079

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
proceeding that the following matters are true:

PARTIES

1. Stephanie Nunez (Complainant) is the Executive Officer of the
Respiratory Care Board of California. She brought this action solely in her official capacity and
is represented in this matter by Edmund G. Brown Jr., Attorney General of the State of
California, by Douglas Lee, Deputy Attorney General.

2. CHELSEA M. PONDERS (Respondent) is representing herself in this
proceeding and has chosen not to exercise her right to be represented by counsel.

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3. On or about March 27, 2007, the Respiratory Care Board of California issued Respiratory Care Practitioner License No. 26048 to CHELSEA M. PONDERS (Respondent). The License was in full force and effect at all times relevant to the charges brought in Accusation and Petition to Revoke Probation No. R-2079 and will expire on March 31, 2008, unless renewed.

JURISDICTION

4. Accusation and Petition to Revoke Probation No. R-2079 was filed before the Respiratory Care Board (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and Petition to Revoke Probation and all other statutorily required documents were properly served on Respondent on June 6, 2007. Respondent timely filed her Notice of Defense contesting the Accusation and Petition to Revoke Probation. A copy of Accusation and Petition to Revoke Probation No. R-2079 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Accusation and Petition to Revoke Probation No. R-2079. Respondent also has carefully read, and fully understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation and Petition to Revoke Probation; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation in
3 Accusation and Petition to Revoke Probation No. R-2079, and agrees that cause exists for
4 discipline. Respondent hereby surrenders her Respiratory Care Practitioner License No. 26048
5 for the Board's formal acceptance.

6 9. Respondent understands that by signing this stipulation she enables the
7 Board to issue an order accepting the surrender of her Respiratory Care Practitioner License
8 without further process.

9 CONTINGENCY

10 10. This stipulation shall be subject to approval by the Respiratory Care
11 Board. Respondent understands and agrees that counsel for Complainant and the staff of the
12 Respiratory Care Board of California may communicate directly with the Board regarding this
13 stipulation and surrender, without notice to or participation by Respondent. By signing the
14 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek
15 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
16 to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary
17 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
18 action between the parties, and the Board shall not be disqualified from further action by having
19 considered this matter.

20 OTHER MATTERS

21 11. The parties understand and agree that facsimile copies of this Stipulated
22 Surrender of License and Order, including facsimile signatures thereto, shall have the same force
23 and effect as the originals.

24 12. In consideration of the foregoing admissions and stipulations, the parties
25 agree that the (Board) may, without further notice or formal proceeding, issue and enter the
26 following Order:

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1 **ORDER**

2 IT IS HEREBY ORDERED that Respiratory Care Practitioner License No. 26048,
3 issued to Respondent CHELSEA M. PONDERS is surrendered and accepted by the Respiratory
4 Care Board.

5 13. The surrender of Respondent's Respiratory Care Practitioner License and
6 the acceptance of the surrendered license by the Board shall constitute the imposition of
7 discipline against Respondent. This stipulation constitutes a record of the discipline and shall
8 become a part of Respondent's license history with the Board.

9 14. Respondent shall lose all rights and privileges as a respiratory care
10 practitioner in California as of the effective date of the Board's Decision and Order.

11 15. Respondent shall cause to be delivered to the Board both her License wall
12 and pocket license certificate on or before the effective date of the Decision and Order.

13 16. Respondent fully understands and agrees that if she ever files an
14 application for licensure or a petition for reinstatement in the State of California, the Board shall
15 treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations
16 and procedures for reinstatement of a revoked license in effect at the time the petition is filed,
17 and all of the charges and allegations contained in Accusation and Petition to Revoke Probation
18 No. R-2079 shall be deemed to be true, correct and admitted by Respondent when the Board
19 determines whether to grant or deny the petition.

20 17. Should Respondent ever apply or reapply for a new license or certification,
21 or petition for reinstatement of a license, by any other health care licensing agency in the State of
22 California, all of the charges and allegations contained in Accusation and Petition to Revoke
23 Probation, No. R-2079 shall be deemed to be true, correct, and admitted by Respondent for the
24 purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

25 18. Respondent shall pay the Board its costs of investigation and enforcement
26 in the amount of \$800.00 (\$300.00 past due for probation monitoring costs plus \$500.00 current
27 costs) prior to issuance of a new or reinstated license.

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Respiratory Care Practitioner License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Respiratory Care Board.

DATED: July 20, 2007 .

Original signed by: _____
CHELSEA M. PONDER
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Respiratory Care Board of the Department of Consumer Affairs.

DATED: July 20, 2007 .

EDMUND G. BROWN JR., Attorney General
of the State of California

THOMAS S. LAZAR
Supervising Deputy Attorney General

Original signed by: _____
DOUGLAS LEE
Deputy Attorney General

Attorneys for Complainant

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DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the
Respiratory Care Board, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on September 1, 2007.

It is so ORDERED August 22, 2007.

Original signed by:

LARRY L. RENNER, BS, RRT, RCP, RPFT
PRESIDENT, RESPIRATORY CARE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA